

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

EVENS CLAUDE

:
:
:
:
:
:

CRIMINAL ACTION

NO. 12-33

ORDER

AND NOW, this 16th day of January, 2013, upon consideration of Defendant's Motion to Suppress Statements and Evidence (Document No. 108, filed December 3, 2012), Government's Response to Defendant's Motion to Suppress Evidence (Document No. 111, filed December 7, 2012), a letter from defendant received December 24, 2012,¹ after an Evidentiary Hearing and argument of counsel for the Government and defendant on December 20, 2012, for the reasons set forth in the Memorandum dated January 16, 2013, **IT IS ORDERED** that Defendant's Motion to Suppress Statements and Evidence is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** to the extent defendant asks the Court to preclude the Government from presenting evidence at trial that during a vehicle stop on June 8, 2011, defendant had a cellphone in his possession and that the cellphone rang when Officer Walter dialed the number he previously obtained from Jodaro Claude; and
2. The Motion is **DENIED** in all other respects.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DUBOIS, J.

¹ A copy of defendant's letter received December 24, 2012, shall be docketed by the Deputy Clerk.